

11-18-02

CPA
1600

PTO/SB/29(10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

☐ CHECK BOX, if applicable:
DUPLICATE

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Address to: Box CPA Commissioner for Patents Washington, DC 20231	Attorney Docket No. of Prior Application	HMSU-P11-006
	First Named Inventor	Philip W. Ingham
	Examiner Name	M. Brannock
	Group Art Unit	1646
	Express Mail Label No.	EV161064285US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
 (continued prosecution application (CPA)) of prior application number 08/954771
 filed on October 20, 1997, entitled
**VERTEBRATE EMBRYONIC PATTERN-INDUCING PROTEINS AND USES RELATED
 THERETO**

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51 (b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53 (d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

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01 FC:1006	740.00 CH
02 FC:1201	252.00 CH
03 FC:1202	468.00 CH
04 FC:1203	200.00 CH

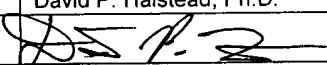
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CLAIM	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	46 - 20* =	26	x \$ 18.00 =	\$ 468.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	6 - 3** =	3	x \$ 84.00 =	252.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) 37 CFR 1.16(d))			+ \$ 280.00 =	280.00
				BASIC FEE (37 CFR 1.16)	740.00
				Total of above Calculations =	1,740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	\$ 1,740.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 18-1945 :
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ _____ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months
(not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Transmittal of Formal Drawings (1 page); Formal Drawings (19 sheets);

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS
a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS			
<input type="checkbox"/> Customer Number or Bar Code Label			or <input type="checkbox"/> New correspondence address below
Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	David P. Halstead, Ph.D.
Signature	
Registration No. (Attorney/Agent)	44,735
Date	November 15, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV161064285US,
in an envelope addressed to: Box CPA, Commissioner for Patents, Washington, DC, 20231, on the date shown below.

Dated: November 15, 2002Signature  (Brent LaBarge)



PTO/SB/17 (11-01)
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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,740.00

Complete if Known

Application Number 08/954771
Filing Date October 20, 1997
First Named Inventor Philip W. Ingham
Examiner Name M. Brannock
Group Art Unit 1646
Attorney Docket No. HMSU-P11-006

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit
Account
Number

18-1945

Deposit
Account
Name

Ropes & Gray

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	101	740	201	370		Utility filing fee	
	106	330	206	165		Design filing fee	
	107	510	207	255		Plant filing fee	
	108	740	208	370		Reissue filing fee	
	114	160	214	80		Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	103	18	203	9		Claims in excess of 20	
	102	84	202	42		Independent claims in excess of 3	
	104	280	204	140		Multiple dependent claim, if not paid	
	109	84	209	42		** Reissue independent claims over original patent	
	110	18	210	9		** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 1,000.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	105	130	205	65		Surcharge - late filing fee or oath	
	127	50	227	25		Surcharge - late provisional filing fee or cover sheet	
	139	130	139	130		Non-English specification	
	147	2,520	147	2,520		For filing a request for <i>ex parte</i> reexamination	
	112	920*	112	920*		Requesting publication of SIR prior to Examiner action	
	113	1,840*	113	1,840*		Requesting publication of SIR after Examiner action	
	115	110	215	55		Extension for reply within first month	
	116	400	216	200		Extension for reply within second month	
	117	920	217	460		Extension for reply within third month	
	118	1,440	218	720		Extension for reply within fourth month	
	128	1,960	228	980		Extension for reply within fifth month	
	119	320	219	160		Notice of Appeal	
	120	320	220	160		Filing a brief in support of an appeal	
	121	280	221	140		Request for oral hearing	
	138	1,510	138	1,510		Petition to institute a public use proceeding	
	140	110	240	55		Petition to revive - unavoidable	
	141	1,280	241	640		Petition to revive - unintentional	
	142	1,280	242	640		Utility issue fee (or reissue)	
	143	460	243	230		Design issue fee	
	144	620	244	310		Plant issue fee	
	122	130	122	130		Petitions to the Commissioner	
	123	50	123	50		Processing fee under 37 CFR 1.17 (q)	
	126	180	126	180		Submission of Information Disclosure Stmt	
	581	40	581	40		Recording each patent assignment per property (times number of properties)	
	146	740	246	370		Filing a submission after final rejection (37 CFR 1.129(a))	
	149	740	249	370		For each additional invention to be examined (37 CFR 1.129(b))	
	179	740	279	370		Request for Continued Examination (RCE)	
	169	900	169	900		Request for expedited examination of a design application	
	Other fee (specify)	131				Basic Filing fee - Utility (CPA)	740.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 740.00

SUBMITTED BY

Name (Print/Type) David P. Halstead, Ph.D.

Registration No. (Attorney/Agent) 44,735

Complete (if applicable)

Telephone (617) 951-7615

Signature

Date

November 15, 2002

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Dated: November 15, 2002

Signature: (Brent LaBarge)